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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/685,993	10/14/2003	Leonid N. Grigorov	RTS-103/CIP	5849	
7590 09/26/2006			EXAM	EXAMINER	
Leonid N. Grigorov			JACKSON, STEPHEN W		
210 Butterfield Navato, CA 9			ART UNIT	PAPER NUMBER	
,			2836		
			DATE MAILED: 09/26/2000	DATE MAILED: 09/26/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Application No. 10/685,993 GRIGOROV ET AL.				7
Examiner Stephen W. Jackson		Application No.		<u>~</u>
Stephen W. Jackson 2836 - The MAILING DATE of this communication appears on the cover sheet with the correspondence addres Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) D WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a neply be timely filed If NO gend for reply is givenide above, the maximum statutory gend was peply and use picts 31(b) MONTHS from the mailing date of this communication for reply within the set or extended period for reply with statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any searned patent term adjustment. See 37 CFR 1.704(b). Status 1) □ Responsive to communication(s) filed on 14 October 2003. 2a) □ This action is FINAL. 2b) □ This action is non-final. 3) □ Since this application is in condition for allowance except for formal matters, prosecution as to the me closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) □ Claim(s) 1-195 is/are pending in the application. 4a) Of the above claim(s) is/are allowed. 6) □ Claim(s) 1-195 is/are rejected. 7) □ Claim(s) 1-195 is/are rejected. 8) □ The precification is objected to by the Examiner. 10 □ The drawing(s) filed on 14 October 2003 is/are: al □ accepted or b) □ objected to by the Examiner. 10 □ The drawing(s) filed on 14 October 200		10/685,993	GRIGOROV ET AL.	
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Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 10-14-03. 4) Interview Summary (PTO-413) Paper No(s)/Mail Date 5) Notice of Informal Patent Application Other:	1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (P' 3) Information Disclosure Statement(s) (PTO/SB/08)	TO-948) Paper No(s 5) Notice of In)/Mail Date formal Patent Application	

Art Unit: 2836

DETAILED ACTION

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1-195 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-18 of U.S. Patent No. 6,804,105. Although the conflicting claims are not identical, they are not patentably distinct from each other because both sets of claims teach the formation of enriched macromolecular materials having temperature independent high conductivity and also teach methods of making the same. The claims in this Application are not seen to involve an inventive step in comparison to the claims in the patent.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen W. Jackson whose telephone number is 571-272-2051. The examiner can normally be reached on 6:30am-3:00pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on 571-272-2800 x36. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SWJackson

September 12, 2006

STEPHEN W. JACKSON PRIMARY EXAMINER

Stephen wakeson

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